

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BRIDGESTONE SPORTS CO., LTD.	)	
and BRIDGESTONE GOLF, INC.,	)	
	)	
Plaintiffs,	)	C.A. No. 05-132 (JJF)
v.	)	
	)	
ACUSHNET COMPANY,	)	
	)	
Defendant.	)	

**BRIDGESTONE SPORTS CO., LTD.'S AND BRIDGESTONE GOLF, INC.'S  
PROPOSED VOIR DIRE**

Pursuant to D. Del. L.R. 47.1(a), Bridgestone Sports Co., Ltd. and Bridgestone Golf, Inc. hereby submit the following proposed voir dire to jury panel.

Good morning, ladies and gentlemen. I am Judge Farnan, and I will be presiding over the trial for which a jury is about to be drawn in the case captioned *Bridgestone Sports Co., Ltd. and Bridgestone Golf, Inc. v. Acushnet Co.* Briefly stated, this is a patent action arising under the patent laws of the United States involving golf ball technology.

The trial will last \_\_\_\_ days. I time my trials, so the attorneys have to complete their trial presentations within these limits. However, jury deliberations may require you to be present longer than \_\_\_\_ days. Our trial days will run approximately from 9:30 a.m. to 4:30 p.m.

I will now ask you certain questions, the purpose of which is to (1) enable the court to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment with respect to peremptory challenges, that is, challenges for which no reason need be given by counsel. If any of you answer any question "yes," please stand up and, upon being recognized by the court, state your juror number. When I

have concluded asking all the questions, we will call you to the bench individually to speak with you about your affirmative response or responses.

HAVE CLERK ADMINISTER THE OATH TO THE PANEL

1. You have been given a list of companies.
  - (a) Is anyone personally acquainted with any officer, director, or employee of any of those companies?
  - (b) Do you or any members of your households now own, or ever owned, any stocks or bonds in any of those companies?
  - (c) Have you, any family member, or anyone close to you had any dealings with, or relied financially in any way on, any of these companies?
  - (d) Have you, any family member, or anyone close to you had any negative experiences with any products of any of those companies?
2. You have been given a list of the attorneys and law firms involved in this litigation. Are you related to, or personally acquainted with, any of those attorneys, or have you ever been represented by any of those attorneys or other associates or members of the listed law firms?
3. You have been given a list of the individuals who might appear as witnesses in this case. Are you related to, or personally acquainted with, any of those individuals?
4. You have been given a list of subject areas. Have you, or any family member, or anyone close to you ever been educated, employed, trained, or had any experience any of the listed areas?
5. Do you have any personal knowledge of this case, or have you read or heard it discussed, or have an opinion regarding it?
6. Do any of you have any religious or moral beliefs that would interfere with being a member of this jury?
7. Has anyone ever been a plaintiff, a defendant, or a witness in a civil lawsuit?

- a) If yes, please describe the suit and your role in the suit
- 8. Have you ever served as a juror in a civil or criminal lawsuit?
  - a) If yes, were you ever the foreperson or opinion leader of the jury?
- 9. Does anyone have any knowledge about or experience with patents, including applying for a patent?
  - a) If yes, please describe
- 10. Has anyone ever heard of any of the following brand names or companies:
  - a) Titleist
  - b) Pinnacle
  - c) Nike
  - d) Precept
  - e) Bridgestone

If yes, have you, any family member, or anyone close to you had any negative experiences with any products of any of those companies or brands?
- 11. Has anyone ever worked for a company that had patented products or processes?
- 12. Has anyone ever worked for a company based outside the United States?
- 13. Has anyone ever been involved in the development of a new product or process?
- 14. Have you, any member of your immediate family, or anyone close to you ever had any dealings with the United States Patent and Trademark Office?
- 15. Does anyone have any negative feelings about patents?
  - a) If yes, please explain
- 16. Does anyone believe that not all patents have value?
- 17. Does anyone believe that countries outside of the United States have a different standard of business ethics than the United States?

a) If yes, please describe

18. Does anyone prefer to buy American products over products made overseas?

a) If yes, please explain

19. Would any of you tend to favor, even a little bit, a U.S. company over an overseas company?

20. One of the companies in this case is based in Japan. Does anyone feel, for whatever reason, that this could affect or impact your thinking?

21. Some witnesses will be Japanese, and may require an interpreter to assist during their testimony. Does anyone feel, for whatever reason, that these witnesses might be viewed differently, or that you may have more doubts about their credibility or testimony?

22. Does anyone feel that products made or developed overseas are inferior in quality to American products?

23. Does anyone feel that products made or developed by Japanese companies are inferior in quality to American products?

24. Does anyone have any religious or personal belief that a company should not file a lawsuit for damages?

25. Is anyone uncomfortable in making an award of money damages?

26. Does anyone believe that damage awards in lawsuits have been too high?

27. Does anyone watch golf on television?

28. Does anyone play golf or consider yourself to be a golfer?

a) How often do you golf?

b) Is there any particular brand of golf ball that you like to use?

i. If yes, which brand(s) do you like to use?

c) Do you remember the last brand of golf ball you used on your last golf outing?

d) Would you use any other golf balls?

29. Does anyone have any type of condition that would make it difficult or impossible for you to serve as a member of the jury in this case?

30. Does anyone have difficulty speaking, reading, writing or understanding English?

31. This case may take five or more days to try. Are there any of you for whom service on the jury for that length of time would be a hardship?

32. Does anyone know of any other matter which you believe should be called to the court's attention as having some bearing upon your qualifications or ability to sit as a juror, or which you think may prevent you from rendering a fair, unbiased and impartial verdict based solely upon the evidence and my instructions as to the law?

#### **COMPANIES**

Bridgestone Sports Co., Ltd.  
Bridgestone Golf, Inc.  
Acushnet Co.  
Fortune Brands, Inc.

#### **ATTORNEYS**

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**WITNESSES**

See Exh. Nos. \_\_\_\_ of the Pretrial Order, containing the list of Trial Witnesses from Plaintiffs and Defendant.

**SUBJECT AREAS**

Chemical Engineering  
Golf Ball Manufacturing  
Golf Ball Design  
Chemistry  
Rubber  
Golf  
Patents

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Leslie A. Polizoti*

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May 22, 2007  
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**CERTIFICATE OF SERVICE**

I certify that on May 22, 2007 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to Richard L. Horwitz and David E. Moore.

I further certify that I caused copies to be served upon the following on May 22, 2007 in the manner indicated:

**BY E-MAIL & HAND**

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